

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Cr. No.: 20-1867-MV
)	
JOSHUA GUTIERREZ,)	
)	
Defendant.)	

**UNOPPOSED MOTION TO EXTEND UNITED STATES' DEADLINE TO FILE A
RESPONSE TO DEFENDANT'S OBJECTIONS TO THE PSR**

The United States of America respectfully moves this Court under Rule 45(b) of the Federal Rules of Criminal Procedure and D.N.M.LR-Cr. 32.C for an order extending the deadline for the government to file a response to Defendant's objections to the presentence report and sentencing memorandum (Doc. 32). In support of this motion, the United States sets forth the following:

1. On December 8, 2020, United States probation issued a Presentence Report (Doc. 30) in this case.
2. On February 4, 2021, Defendant filed his objections to the PSR. (Doc. 32.)
3. Despite the exercise of due diligence, undersigned counsel will require additional time to complete the government's response to the objections.
4. As a member of the Indian Country Crimes Section, undersigned counsel carries a full load of active cases. In addition to working on its response, undersigned counsel has been working on other time-sensitive matters, including reviewing discovery and responding to guideline objections in two other cases with February or early March sentencing dates.

5. To allow the government time to fully respond to the objections, the government respectfully requests an extension of the response deadline, by two weeks, or until February 26, 2021.

6. A sentencing hearing is not currently scheduled so the extension will not create unnecessary delay or prejudice Defendant.

7. The United States contacted Defendant for his position on this motion and Defendant does not oppose the requested extension.

Respectfully submitted,

FRED J. FEDERICI
Acting United States Attorney

/s/ Electronically filed February 11, 2021

ALLISON C. JAROS
Assistant U.S. Attorney
201 Third St. NW, Suite 900
Albuquerque, NM 87102
(505) 224-1402 phone
(505) 346-7296 fax

I hereby certify that a copy of this motion was delivered via CM/ECF to counsel for the defendant.

Electronically filed
ALLISON C. JAROS